

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PALOMAR MEDICAL TECHNOLOGIES, INC.)
and THE GENERAL HOSPITAL)
CORPORATION,)

Plaintiffs and)

v.)

CUTERA, INC.,)

Defendant and)

Civil Action No. 05-10683 RWZ

[PROPOSED] ORDER

THIS MATTER having been brought before the Court by Defendant Cutera, Inc.'s Motion to Dismiss, and the Court having considered the papers submitted in connection with said Motion, and for good cause shown;

IT IS, on this _____ day of _____, 2005,

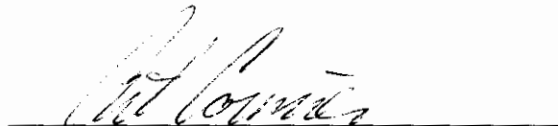
ORDERED that Defendant's Motion to Dismiss is hereby GRANTED.

Honorable Rya W. Zobel
United States District Judge

CERTIFICATE OF SERVICE

I, Arthur R. Cormier, hereby certify that on this 6th day of July, 2005, I caused a true copy of (i) Cutera, Inc.'s Motion to Dismiss Pursuant to Rules 12(b)(2) and 12(b)(3), (ii) Memorandum of Law in Support of Defendant Cutera Inc.'s Motion to Dismiss Pursuant to Rules 12(b)(2) and 12(b)(3), (iii) Declaration of Ronald Santilli, (iv) proposed form of order and (v) this certificate of service to be served by hand on:

Wayne L. Stoner, Esq.
Kate Saxton, Esq.
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109


Arthur R. Cormier